

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-32. Canceled.

33. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer, an n-type cladding layer of nitride semiconductor between said third nitride semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from ~~0.1~~ 1 to 20 $\mu$ m,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$ , ~~and~~

~~wherein said second nitride semiconductor layer is a thick layer of which thickness is set 1 $\mu$ m or more and said third nitride semiconductor layer is a thin layer.~~

34. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer, an n-type cladding layer of nitride semiconductor between said third nitride semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from ~~0.1~~ 1 to 20 $\mu\text{m}$ ,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$ ,

wherein ~~and said second nitride semiconductor layer is a thick layer of which thickness is set 1 $\mu\text{m}$  or more and of which~~ the impurity concentration of said second nitride semiconductor layer is set higher than that of said first and third nitride semiconductor layers,

wherein said third nitride semiconductor layer is a thin layer of which thickness is set not exceeding 0.5 $\mu\text{m}$ .

35.-40. Canceled.

41. (previously presented) The nitride semiconductor light emitting device as in claim 33, or 34 , wherein said third nitride semiconductor layer is made of InGaN.

42. Canceled.

43. (previously presented) The nitride semiconductor light emitting device as in claim 33, or 34 , wherein said first to third nitride semiconductor layers have a same composition.

44. (previously presented) The nitride semiconductor light emitting device according to claim 43, wherein said first to third nitride semiconductor layers are made of GaN.

45.-47. Canceled.

48. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer, a nitride semiconductor layer having Al between said third semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from  $0.1\text{ }\mu\text{m}$  to  $20\text{ }\mu\text{m}$ ,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1\times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1\times 10^{17}/\text{cm}^3$ , and

~~wherein said second nitride semiconductor layer is a thick layer of which thickness is set  $1\text{ }\mu\text{m}$  or more and said third nitride semiconductor layer is a thin layer.~~

49. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer, a nitride semiconductor layer having Al between said third semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from  $0.1\text{ }\mu\text{m}$  to  $20\text{ }\mu\text{m}$ ,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$ ,

wherein the impurity concentration of said second nitride semiconductor layer is a thick layer of which thickness is set  $1 \mu\text{m}$  or more and of which impurity concentration is set higher than that of said first and third nitride semiconductor layers, and

wherein said third nitride semiconductor layer is a thin layer of which thickness is set not exceeding  $0.5 \mu\text{m}$ .

50. (previously presented) The nitride semiconductor light emitting device as in claim 48 or 49, wherein said third nitride semiconductor layer is made of InGaN.

51. (previously presented) The nitride semiconductor light emitting device as in claim 48 or 49, wherein said first to third nitride semiconductor layers have the same composition.

52. (previously presented) The nitride semiconductor light emitting device according to claim 51, wherein said first to third nitride semiconductor layers are made of GaN.

53.-54. Canceled.

55. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride

semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from  $0.1\text{ }\mu\text{m}$  to  $20\text{ }\mu\text{m}$ ,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$ ,

~~wherein said second nitride semiconductor layer is a thick layer of which thickness is set  $1\text{ }\mu\text{m}$  or more and said third nitride semiconductor layer is a thin layer, and~~

wherein said second nitride semiconductor layer is in contact with said first nitride semiconductor layer and said third nitride semiconductor layer.

56. (currently amended) A nitride semiconductor light emitting device comprising; a substrate, a buffer layer, an active layer, a p-type contact layer and a three layer laminated structure sandwiched by said buffer layer ~~substrate~~ and said active layer, said three layer laminated structure having a first nitride semiconductor layer, a second nitride semiconductor layer and a third nitride semiconductor layer, said second nitride semiconductor layer positioned between said first nitride semiconductor layer and said third nitride semiconductor layer, said third nitride semiconductor layer positioned between said second nitride semiconductor layer and said active layer,

wherein said second nitride semiconductor layer is an n-type single layer having a thickness within a range of from ~~0.1~~ 1 to 20 $\mu\text{m}$ ,

wherein an impurity concentration of said first nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$  and an impurity concentration of said third nitride semiconductor layer is set within  $1 \times 10^{17}/\text{cm}^3$ ,

wherein the impurity concentration of ~~and~~ said second nitride semiconductor layer is ~~a thick layer of which thickness is set 1 $\mu\text{m}$  or more and of which impurity concentration~~ is set higher than that of said first and third nitride semiconductor layers,

wherein said third nitride semiconductor layer is a thin layer of which thickness is set not exceeding 0.5 $\mu\text{m}$  and

wherein said second nitride semiconductor layer is in contact with said first nitride semiconductor layer and said third nitride semiconductor layer.

57. (previously presented) The nitride semiconductor light emitting device as in claim 55 or 56, wherein said third nitride semiconductor layer is made of InGaN.

58. (previously presented) The nitride semiconductor light emitting device as in claim 55 or 56, wherein said first to third nitride semiconductor layers have a same composition.

59. (previously presented) The nitride semiconductor light emitting device according to claim 58, wherein said first to third nitride semiconductor layers are made of GaN.

60.-61. Canceled.